

**SDWSRF Construction Contractor Selection
Review of MBE/WBE Good Faith Effort
Six Steps Documentation**

Reviewer's initials _____
Date reviewed _____
Reviewer determination:
Good Faith Effort:
Adequate
Not Adequate

Bidder/Offeree Contractor name

Date of bid/offer

Contractor License no.

Project Plans and Specifications for

Water system name/project name

Date of Plans/Specs

Required Positive Efforts: check boxes for types of documentation provided by this bidder/offeree

Step 1. Included MBE/WBE on solicitation lists [Check all items that apply.]

[In Step 1 the bidder identifies MBE/WBE firms to contact for subcontractor solicitation.]

Documentation of effort to identify potential MBE/WBE subcontractors provided

Advertisement in trade paper and/or minority focus paper:

Name of paper _____

Date on which ad ran; _____ Copy of ad provided

Record of contact with Small Business Administration assistance center (**required**);³

Date of contact: _____

Record of contact with Minority Business Development Agency (**required**);³

Date of contact: _____

Record of contact with California Department of Transportation,
[Business Enterprise Program, CalCert database]

Date of contact: _____

Record of contact with other source to identify potential MBE/WBE subcontractors;

Name of information source _____

Date of contact: _____

Step 2. Solicited MBE/WBE whenever potential sources were identified [Check all items that apply.]

[In Step 2 the bidder records their effort to solicit potential MBE/WBE subcontractors firms.]

? Documentation showing that invitations were provided to MBE/WBE bidders in a time frame to allow potential MBE and WBE subcontractors to prepare and submit bids

Types of documentation provided¹

Contact letters¹

Phone logs related to solicitation follow-up¹

Bidding information provided to solicited subcontractor

Other _____

Step 2 (cont.)

Demonstrated intent to consider MBE/WBE bidders/expectation of MBE/WBE participation

Criteria for subcontractor selection predefined

Listing of subcontractor bidders and their bids compiled and included (**required**)

Summary of bidder's instructions, discussions, and negotiations, with subcontractor

Lowest bidder/offeror subcontractor for any project element was a qualified MBE/WBE (attach details)

MBE/WBE subcontractor **selected** to perform work element (attach details)

Rationale used for selecting subcontractor selection provided (attach details)

Step 3. Divided total project into smaller tasks when feasible. [Check all items that apply.]

[The purpose of Step 3 is to record the bidder's decision-making related to dividing the project into subtasks so that potential subcontractors, including MBE/WBE firms, have the opportunity to participate in federally funded projects.]

Decision-making documentation provided

Project was broken into tasks for subcontracting
_____ % of bid/offer subcontracted ²

List of items of work made available to potential subcontractors

Example of information provided to potential subcontractors
(e.g. plans, specs, and work requirements)

Project was **NOT** broken into tasks for subcontracting

Explanation provided of why tasks were not made available for subcontracting

Bidder documented that insufficient number of qualified MBE/WBE firms were available as potential subcontractors interested in or available to participate in this project

Other (describe) _____

Step 4. Established flexible delivery schedules when feasible. [Check all items that apply.]

[The purpose of Step 4 is to record the bidder's decision-making related to establishing a flexible delivery schedule which would enable potential subcontractors, including MBE/WBE firms, have the opportunity to participate in federally funded projects]

Decision-making documentation provided

Project was broken into phases/time schedule to facilitate subcontracting:

Project was **NOT** broken into phases/time schedule to facilitate subcontracting

Explanation provided as to why flexible time schedule was not possible

Other (describe) _____

Step 5. Used services/ assistance of MBDA (U.S. Dept. Commerce, Office of Minority Business Enterprise); and U.S. Small Business Administration (SBA) to identify potential MBE and WBE subcontractors³ [Check all items that apply.]

[The purpose of Step 5 is to document that available services were utilized, and that the bidder directed potential MBE/WBE subcontractors to MBDA and SBA for specialized assistance; e.g. securing bonding, insurance, etc.]

Record of contact with Small Business Administration assistance center (**required**);³

Date of contact: _____

Date of SBA subcontractor listing _____

Record of contact with Minority Business Development Agency (**required**);³

Date of contact: _____

Date of MBDA subcontractor listing _____

Documentation of effort to assist potential subcontractors with bonding, credit, insurance and technical issues [e.g. referral to SBA or MBDA]

Step 6. If subcontractor further subcontracted a task, Steps 1 through 5 were followed in the solicitation process [Check all items that apply.]⁴

[The purpose of Step 6 is to ensure that Good Faith Effort is made for the project whether the work is to be performed by the prime contractor or subordinate contractors.]

Subcontractor further subcontracted task⁴

Name of subcontractor _____
Subcontractor responsible for additional subcontracting

Subcontractor conformed with **Six Steps** Good Faith Effort requirements⁴

Documentation of subcontractor's Good Faith Effort provided

MBE/WBE firm selected as sub-subcontractor (attach details)⁴

Footnotes:

[¹ A regular letter or an unanswered telephone call may not show adequate positive effort; bidder's effort is expected to indicate a real desire for a positive response, e.g. a letter with a return receipt requested, a follow-up phone call to a subcontractor representative responsible for negotiating jobs for the MBE/WBE firm; provision of adequate time for an interested subcontractor to develop and submit a bid response]

[² USEPA has established target "fair share" goals for **construction** under the California Safe Drinking Water State Revolving Fund as of June 4, 1999.]

MBE: 17 %

WBE 9 %

[³ Information obtained by bidder in Step 5 is utilized by bidder in Step 1]

[⁴ Attach additional information if more than one subcontractor further subcontracted a task.]

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